

William E. Porter, M.D.

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

IN RE: BOSTON SCIENTIFIC CORP.,

PELVIC REPAIR SYSTEM

MDL NO. 2326

PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

ALL WAVE 1 AND 2 CASES IN MDL NO. 2326

VIDEOTAPED DEPOSITION OF

WILLIAM E. PORTER M.D.

Tuesday, December 2, 2014

Charlotte, North Carolina

4:29 p.m.

Reported by: Karen K. Kidwell, RMR, CRR, CLR

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EXHIBIT

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William E. Porter, M.D.

Page 51

1 your practice.

2 MR. PRICE: Object to form.

3 THE WITNESS: So I have used retropubic  
4 slings. I've used the Prefyx sling,

5 P-R-E-F-Y-X. I have used a transobturator sling  
6 and I've used a single-incision sling.

7 BY MS. PACKER:

8 Q. Do you continue to offer slings as an  
9 option to your patients today with stress urinary  
10 incontinence?

11 MR. PRICE: Object to form.

12 THE WITNESS: I do.

13 BY MS. PACKER:

14 Q. What manufacturers' slings are you  
15 currently using?

16 A. I use -- currently, I have used -- depends  
17 on the hospital. Certain hospitals will offer  
18 certain things, but sometimes they're out of my  
19 control.

20 And I have used Boston Scientific. I have  
21 used Coloplast, C-O-L-O-P-L-A-S-T. I have used  
22 American Medical Systems as well, slings.

23 Q. What hospitals do you have -- at what  
24 hospitals do you have privileges, currently?

25 A. I have privileges at the Novant Health

William E. Porter, M.D.

Page 59

1 it's additional cost, then you have to justify it a  
2 little more rigorously, if it's equivalent product  
3 and there's no -- if it's offset cost-wise, there's  
4 probably not much difference.

5 Q. Have you requested the Uphold LITE  
6 specifically at any of the hospitals where you have  
7 privileges?

8 A. I do. I did.

9 Q. And have you requested any Boston  
10 Scientific slings by name at any of the hospitals  
11 where you have privileges?

12 A. I do.

13 Q. And which hospitals would those be for  
14 both of those products?

15 A. Novant Health.

16 Q. Is that Novant -- which Novant is it?

17 A. They're pretty much the same purchasing.

18 Q. Okay. And ultimately, they agreed to  
19 purchase those products for you based on the volume  
20 of surgery that you do?

21 A. They would request it. You have to fill  
22 out forms. And it goes to committees. And you can  
23 support it or not support it. And then it's really  
24 out of my hands. It really has nothing to do with  
25 the hospital itself.

William E. Porter, M.D.

Page 61

1 BY MS. PACKER:

2 Q. And so what factors did you set forth to  
3 Novant to justify your request that you wanted that  
4 particular product, the Uphold LITE?

5 A. Again, as I said earlier, when we  
6 requested the Uphold LITE, you didn't have to go  
7 through all the forms at that point. You just had to  
8 request it, and it was a different process.

9 Q. So it's a more involved process now than  
10 it was then?

11 A. It is, much more involved.

12 Q. And what's the most recent time you've  
13 made a request for a specific polypropylene mesh  
14 sling?

15 A. A few months ago.

16 Q. And what was the sling that you requested?

17 A. It's an adjustable sling. And I can't --  
18 I'm drawing a blank of the name. Remeex or something  
19 like that, sling that's meant for people with  
20 recurrent incontinence.

21 Q. Have you had to go through the process  
22 that you just described of justifying your request  
23 for a product with respect to a Boston Scientific  
24 sling?

25 A. No.

William E. Porter, M.D.

Page 234

1 BY MS. PACKER:

2 Q. And do you agree with this statement?

3 MR. PRICE: Object to form.

4 THE WITNESS: The first five, four  
5 sentences -- or four lines?

6 BY MS. PACKER:

7 Q. Well, you read it in the past, correct?

8 A. I have to reread everything. In  
9 generality --

10 Q. Sure.

11 A. -- I think slings have the role for  
12 treating stress urinary incontinence, correct.

13 Q. Do you agree with this introductory  
14 language that says, "The polypropylene mesh  
15 mid-urethral sling is the recognized worldwide  
16 standard of care for the surgical treatment of stress  
17 urinary incontinence. The procedure is safe,  
18 effective and has improved the quality of life for  
19 millions of women"?

20 A. I agree with that, yes.

21 Q. And do you agree with the statement  
22 that -- turning the page now, that "Polypropylene  
23 material has been used in most surgical specialties,  
24 including general surgery, cardiovascular surgery,  
25 transplant surgery, ophthalmology, otolaryngology,



William E. Porter, M.D.

Page 237

1 BY MS. PACKER:

2 Q. Do you agree that "A broad evidence base,  
3 including high-quality scientific papers in medical  
4 journals in the U.S. and the world supports the use  
5 of the MUS as a treatment for SUI"?

6 MR. PRICE: Object to form.

7 THE WITNESS: Yes.

8 BY MS. PACKER:

9 Q. And "MUS" means "mid-urethral sling"?

10 A. Correct.

11 Q. And "SUI" means "stress urinary  
12 incontinence." Is that correct?

13 A. Correct.

14 Q. Do you agree with the statement that "Full  
15 length mid-urethral slings both retropubic and  
16 transobturator have been extensively studied, are  
17 safe and effective relative to other treatment  
18 options and remain the leading treatment option and  
19 currently gold standard for stress incontinence  
20 surgery"?

21 A. Yes.

22 MR. PRICE: Object to form.

23 BY MS. PACKER:

24 Q. Are you familiar with the AUGS  
25 statement -- position statement on restriction of